

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**IN RE BANKAMERICA CORP.                    )     MDL - 1264**  
**SECURITIES LITIGATION                    )**

**ORDER**

WHEREAS, on September 30, 2002, this Court issued an Order [Doc. 571] approving the terms of the settlement and revised plan of allocation in the above-referenced action (the "Action"); and

WHEREAS, in an Order dated June 14, 2004 [Doc. 630], the Court accepted the claims submitted by Authorized Claimants as determined by the Claims Administrator, including late-filed claims submitted before May 1, 2004, and approved distribution of the Net Settlement Fund to the Authorized Claimants;

WHEREAS, this Court has directed the parties to consummate the terms of the settlement and the revised plan of allocation;

WHEREAS, this Court has retained jurisdiction of this Action for the purpose of considering any further application or matter which may arise in connection with the administration and execution of the settlement. Further, the Court has and continues to diligently oversee the processing of Proofs of claim and the distribution of the Net Settlement Fund to the Authorized Claimants,

NOW THEREFORE, upon reading the bi-monthly status reports submitted by counsel for the lead plaintiffs, and upon all prior proceedings herein and after due deliberation, it is hereby

ORDERED, that Heffler, Radetich & Saitta, L.L.P, is authorized to re-issue eighty-seven (87) checks to Alliance Bernstein totaling \$990,728.69.<sup>1</sup> All checks re-issued pursuant to this Order which are outstanding ninety (90) days from the issue date of the check shall be VOID.

SO ORDERED this 26<sup>th</sup> day of November, 2007.

  
JOHN F. NANGLE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Alliance Bernstein filed valid, timely claims on behalf of its shareholders. However due to extenuating circumstances eight-seven (87) checks were not cashed, thus the Court grants Alliance Bernstein's request for the reissue of these checks.